



# UNITED STATES PATENT AND TRADEMARK OFFICE

MN

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,904	03/12/2004	Michael T. Kisamore	018360/274115	8308

826 7590 07/25/2007

ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

EXAMINER
----------

TAKELE, MESEKER

ART UNIT	PAPER NUMBER
----------	--------------

2174

MAIL DATE	DELIVERY MODE
-----------	---------------

07/25/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/799,904

Applicant(s)

KISAMORE ET AL.

Examiner

Meseker Takele

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 9, 12-15, 17 and 19-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9, 12-15, 17 and 19-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This communication is responsive to the Amendment filed 05/01/07.
2. Claims 1-8, 10-11, 16 and 18 are cancelled. Claims 9, 12-15, 17, 19-23 are pending in this application. Claims 9, 15 and 19 are independent claims. In the instant Amendment, claims 9, 12-13, 15 and 19 were amended. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### DETAILED ACTION

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9 and 12 - 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halviatti et al. (US Patent NO.: 5,475,843) in view of Janniro et al. (US Patent NO.: 5,634,098) and in further view of (Dubovsky (US 2003/0052917).

As to claim 9, Halviatti discloses a system for testing an application running on a target device (see figure 6, and column 21, lines 37-47) the system comprising:

a target device storing and executing a software test agent (example, Application Translation Units and Message Engine, see figure 3 and column 22, lines 36-41) wherein said

application under test is also stored and executed on said target device (example, Application Translation Units and Message Engine, see figure 3 and column 22, lines 36-41)

a test development computer storing and executing a software test tool for testing and validating said application's rendering of output to a Graphical User Interface (GUI))(example, QA engineer see column 21, lines 15-21) said test tool configured to communicate with said agent on said target device (example, Model Manager, see column 22, lines 35-41 and figure 6);

said software test tool executing a test script for testing and validating one or more aspects of said application's rendering of output to said GUI, said test tool operable to generate requests to said agent to obtain information from and send events to controls associated with said GUI (see column 22, lines 23-50, column 27, lines 50-57);

said software test tool comprising a configuration manager for handling testing of said application (example, model manager, see column 36, line 36) against multiple languages (example, different language, see column 30, lines 49-53) and platform configurations (example, different platform, Column 5, line, 20).

While Halviatti display a model manager (configuration manager), However Halviatti does not specifically disclose a configuration table having a plurality of user-defined configurations each said configuration comprising a collection of value sets corresponding to respective configuration item groups, each said value set being one of a plurality of possible value sets that are selectable in association with said respective item group~ each said value set comprising a collection of one or more related configuration items and corresponding values for said related items.

Janniro from the same field of endeavor disclose a configuration table having a plurality of user-defined configurations (see col., 2 line, 43A) each said configuration comprising a collection of value sets corresponding to respective configuration item groups (see col., 2, lines, 6-18 and Figure 4), each said value set being one of a plurality of possible value sets that are selectable in association with said respective item group each said value set comprising a collection of one or more related configuration items and corresponding values for said related items (see col., 2 line 43, col., 2 lines, 6-18).

It would have been obvious to one of ordinary skill in the art to have modified Halviatti's automated testing at the time of the invention is made with plurality of configurations as taught by Janniro. The motivation to combine to provide to perform automated software testing based on values of environment variable specified in files stored in a hierarchical directory structure.

Halviatti further does not disclose a spread sheet format for ease of editing by a user said spread sheet being configured for allowing said user to simultaneously view in a tabular format the plurality of possible value sets that are selectable in association with each said configuration item group.

Dubovsky from the same field of endeavor disclose a spread sheet format for ease of editing by a user said spread sheet being configured for allowing said user to simultaneously view in a tabular format the plurality of possible value sets that are selectable in association with each said configuration item group (see Figure 2 and Figure 1 (element 1)).

It would have been obvious to one of ordinary skill in the art to have modified the modified Halviatti's automated testing at the time of the invention is made with spreadsheet as

taught by Dubovsky. The motivation to combine to provide the column and row structure in the spreadsheet file make easier to manage than a delimited text file.

As to claim 12, Halviatti does not specifically disclose wherein, responsive to a user changing from a first value set to a second value set during execution of a test script, the test tool is configured to automatically delete all configuration item values associated with the first value set and reload said configuration items with corresponding values associated with the second value set.

Janniro from the same field of endeavor disclose discloses responsive to a user changing from a first value set to a second value set during execution of a test script, the test tool is configured to automatically delete all configuration item values associated with the first value set and reload said configuration items with corresponding values associated with the second value set (see column 10, lines 16-31).

It would have been obvious to one of ordinary skill in the art to have modified Halviatti's automated testing at the time of the invention is made with override the previously assigned value as taught by Janniro. The motivation to combine to provide to perform automated software testing based on values of environment variable specified in files stored in a hierarchical directory structure.

As to claim 13, While Halviattis display a model manager (configuration manager), However Halviatti does not disclose a configuration manager comprise a capability that allows a user to get the value of a particular configuration item, and a capability that allows a user to set the value of a particular configuration item, during execution of a test script.

Janniro from the same field of endeavor disclose a capability that allows a user to get the value of a particular configuration item, and a capability that allows a user to set the value of a particular configuration item, during execution of a test script (col., 6 lines, 58-67, col., 7 lines, 1-4 and 47-65).

It would have been obvious to one of ordinary skill in the art to have modified Halviattis automated testing at the time of the invention is made with Environment modifiers and particular test operation as presented by Janniro.

The motivation to combine will allow the tester to select different system environments.

As to claim 14, Halviatti discloses a capability that allows a user to assign an input-event name to a grouping of multiple key sequences, said grouping of multiple key sequences representing an input event that occurs on said target device during execution of said test script, wherein said input-event name can be used in place of said grouping each time said grouping is to be written into said test script (example, hot keys, see column 6, lines 30-33).

6. Claims 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halviatti et al. (US Patent NO.: 5,475,843) in view of Janniro et al. (US Patent NO.: 5,634,098) and further in view of Dubovsky (US 2003/0052917).

As to claim 15, Halviattis discloses a method of testing an application that is operable to execute in multiple languages and platform configurations (col., 30 lines, 52-53 and col., 5 line, 20).

While Halviatti display storing (see, Figure 1A element 106), However Halviatti does not specifically disclose a configuration table having a plurality of user-defined configurations each said configuration comprising a collection of value sets corresponding to respective

configuration item groups, each said value set being one of a plurality of possible value sets that are selectable in association with said respective item Group, each said value set comprising a collection of one or more related configuration items and corresponding values for said related items.

Janniro from the same field of endeavor disclose a configuration table having a plurality of user-defined configurations each said configuration comprising (see col., 2 line, 43A) a collection of value sets corresponding to respective configuration item groups (see col., 2, lines, 6-18 and Figure 4), each said value set being one of a plurality of possible value sets that are selectable in association with said respective item Group, each said value set comprising a collection of one or more related configuration items and corresponding values for said related items (see col., 2 line 43, col., 2 lines, 6-18).

It would have been obvious to one of ordinary skill in the art to have modified Halviatti's automated testing at the time of the invention is made with plurality of configurations as taught by Janniro. The motivation to combine to provide to perform automated software testing based on values of environment variable specified in files stored in a hierarchical directory structure.

Halviatti discloses writing a test script that executes differently based on which user-defined configuration is loaded from said table (Figure 9c); loading a user-defined configuration from said configuration table prior to execution of said test script (col., 20 line, 45); and executing said test script in accordance with the configuration loaded from said configuration table (col., 20 line 45).



Halviatti further does not disclose a spread sheet format for ease of editing by a user said spread sheet being configured for allowing said user to simultaneously view in a tabular format the plurality of possible value sets that are selectable in association with each said configuration item group.

Dubovsky from the same field of endeavor disclose a spread sheet format for ease of editing by a user said spread sheet being configured for allowing said user to simultaneously view in a tabular format the plurality of possible value sets that are selectable in association with each said configuration item group (see Figure 2 and Figure 1 (element 1)).

It would have been obvious to one of ordinary skill in the art to have modified the modified Halviattis automated testing at the time of the invention is made with spreadsheet as taught by Dubovsky. The motivation to combine to provide the column and row structure in the spreadsheet file make easier to manage than a delimited text file.

As to claim 17, Halviattis does not discloses, changing from a first value set to a second value set during execution of said test script; and responsive to said changing: automatically deleting all configuration item values associated with the first value set; and automatically reloading said configuration items with corresponding values associated with the second value set.

Janniro from the same field of endeavor disclose discloses responsive to a user changing from a first value set to a second value set during execution of a test script, the test tool is configured to automatically delete all configuration item values associated with the first value set and reload said configuration items with corresponding values associated with the second value set (see column 10, lines 16-31).

It would have been obvious to one of ordinary skill in the art to have modified Halviatti's automated testing at the time of the invention is made with override the previously assigned value as taught by Janniro. The motivation to combine to provide to perform automated software testing based on values of environment variable specified in files stored in a hierarchical directory structure.

7. Claims 19 – 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halviatti et al. (US Patent NO.: 5,475,843) in view of Janniro et al. (US Patent NO.: 5,634,098) and in further in view of Parker et al. (US Patent No.: 5,600,789).

As to claim 19, Halviatti disclose a method performed by a test development computer storing and executing a test tool operable to communicate with a target device storing and executing a test agent to interrogate a particular Graphical User Interface (GUI) control that is associated with an application under test running on said target device (col.1 lines, 22-25).

While Halviatti display a particular GUI control associated with said application under test, however Halviatti does not specifically disclose storing a first and second table that comprises a list of entries accessible by said test tool, each said entry containing information corresponding to a particular GUI control associated with said application under test.

Janniro from the same field of endeavor disclose storing a first table that comprises a list of entries accessible by said test tool, each said entry containing information corresponding to a particular GUI control associated with said application under test (see abstract).

It would have been obvious to one of ordinary skill in the art to have modified Halviatti's automated testing at the time of the invention is made with tool for storing the results of past tests, and a tool for generating test lists in which tests are ordered as taught by Janniro.

The motivation to combine will provide a method and apparatus that establishes predefined system environments as part of an automated testing process.

Halviatti discloses the information associated with each said control comprising: a user-defined name for uniquely referring to that control (see col., 33, lines 1-9 and Figure 9C element 953); a plurality of properties which define that control, including a class name that indicates a class type to which that control belongs (col., 10 line, 61 and col., 31 line, 4).

While Halviatti display identify flag, Halviatti does not disclose a data field for optionally storing a control-specific identify flag, to be used by said test tool for indicating to said test agent which of said properties are to be used in identifying that control on said target device.

Parker from the same field of endeavor disclose a data field for optionally storing a control-specific identify flag, to be used by said test tool for indicating to said test agent (see Figure 4) which of said properties are to be used in identifying that control on said target device (see Figure 9, Figure 5, Figure 4, col., 19 lines, 19-31 and col., 20 lines, 27-38).

It would have been obvious to one of ordinary skill in the art to have modified the modified Halviatti's automated testing at the time of the invention is made with control identifier as taught by Parker.

The motivation to combine to provide the ability of test scripts to identify GUI objects at the GUI super class level.

Halviatti disclose a class name for uniquely referring to that class of controls; and a default identify flag to be used by said test tool for indicating to said test agent which of said properties are to be used for identifying any control of that class type that does not have a control-specific identify flag associated with it, as defined in said first table (Figure 9c).

As to claim 20, Halviatti disclose checking to see whether the control-specific identify-flag data field associated with said control is empty loading (example, load, column 32, line 16 and figure 9C-D) the identify flag from said control-specific identify flag data field, if said data field is not empty; if the control-specific identify-flag field is empty, loading the default identify flag from the second table using the class name associated with said control to be interrogated (example, unique ID, fetched, see column 32, line 6-9 and figure 9C-D) generating a request to the agent to locate a control on the target device that matches said control to be interrogated, the agent locating a matching control by searching for a control which has a set of properties indicated by the identify flag obtained in the steps above that match the corresponding set of properties for said control to be interrogated, the matching control having a handle for accessing said control associated therewith; and receiving said handle for said matching control from the agent (example, control, null, flag, see column 39, lines 5-50 and figure 9C-D).

As to claim 21, Halviatti disclose a data field for optionally storing (example, storing, see column 43, line 4) a control-specific verify flag (see figure 5A) said control-specific verify flag used for indicating which of said properties are to be used when verifying that an occurrence of that control on said target device matches an expected state; and wherein the entry associated with each said class of controls listed in said second table further comprises a default verify flag, said default verify flag used for indicating which of said properties are to be used for verifying any control of that class type that does not have a control-specific verify flag associated with it, as defined in said first table .

As to claim 22, Halviatti disclose checking to see whether the control-specific verify-flag data field associated with said control to be interrogated is empty; loading the verify flag from

Art Unit: 2174

said control-specific verify flag data field, if said data field is not empty; if the control-specific verify-flag field is empty, loading the default verify flag from the second table using the class name associated with said control to be interrogated (it is inherent that if the control-specific identify-flag data field associated with said control is empty, loading the default identify flag from the second table (see column 27, line 63) interpreting the verify flag obtained in the steps above to determine which properties are to be used in verifying that said matching control matches said control to be interrogated (see column 2, lines 37-47) generating a request to the agent to retrieve actual property values associated with said matching control, said values retrieved comprising values for at least those properties indicated in the verify flag obtained in the steps above; and comparing said actual property values associated with said matching control, for only those properties indicated in the verify flag obtained above, to the corresponding property values defined in said first table for said control to be interrogated ((see column 2, lines 49-54).

As to claim 23, Halviatti disclose upon detecting a mismatch in any of the properties compared, generating an entry in a log file detailing the mismatch (see column 42, lines 47-64).

### ***Response to Arguments***

1. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meseker Takele whose telephone number is (571) 270-1653. The examiner can normally be reached on Monday - Friday 7:30AM- 5:00PM est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MT

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISOR, PATENT EXAMINER  
TECHNOLOGY CENTER 2100